

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KENNETH MURCHISON	:	Civil Action No. 4:11-CV-01944
	:	
Plaintiff,	:	(Judge Brann)
	:	
v.	:	
	:	
WARDEN, BRIAN BLEDSOE,	:	
<i>et. al.</i> ,	:	
	:	(Magistrate Judge Blewitt)
Defendants.	:	

ORDER
July 2, 2013

BACKGROUND:

The undersigned has given full and independent consideration to the May 23, 2013 report and recommendation of Magistrate Judge Thomas M. Blewitt. ECF No. 55.

Magistrate Judge Blewitt's report and recommendation recommended that Defendant's Motion to Dismiss or in the alternative Motion for Summary Judgment (ECF No. 43) be granted on both grounds. Plaintiff filed fifteen-page objections to the report on June 6, 2013, which the undersigned also considered. ECF No. 56. The objections do not introduce proper summary judgment evidence against the moving party, nor do they refute the arguments supporting the motion

to dismiss or for summary judgment considered by the Magistrate Judge.

This Court agrees with the sound reasoning of the Magistrate Judge's analysis of both the motion to dismiss and, alternatively, the motion for summary judgment. Accordingly, the May 23, 2013 report and recommendation will be adopted in its entirety and this action will be dismissed with prejudice.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. United States Magistrate Judge Thomas M. Blewitt's May 23, 2013 Report and Recommendation is ADOPTED in full. ECF No. 55.
2. The action is DISMISSED with prejudice.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge